

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the packages and in the accompanying wrapper and circular as follows, (package and wrapper) "M. I. S. T. * * * Nerve * * *," (circular) "For Blood Diseases * * * for Syphilis or Venereal Diseases, Dropsy, Gout, Rheumatism, Tumors, Ulcers, Scrofula, Swellings, Ulcerated Sore Throat, Erysipelas, Cancer or Cancerous Tumors and Inflammation of the Bladder, Stricture and Varicocele * * * for Nervous Diseases * * * M. I. S. T. No. 2 * * * an aid in the treatment of Nervous Diseases * * *" which statements were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On August 17, 1921, the M. I. S. T. Co., Toledo, Ohio, having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the product be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9708. Adulteration of tomato catsup. U. S. * * * v. 750 Cases of Tomato Catsup * * * Decree of condemnation and forfeiture. Product ordered released under bond for destruction, the containers to be retained by claimant. (F. & D. No. 13858. I. S. No. 10142-t. S. No. W-787.)

On November 12, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 750 cases of tomato catsup, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the T. A. Snider Preserve Co., from Mount Carmel, Ill., September 14, 1920, and transported from the State of Illinois into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Snider's Tomato Catsup * * * Manufactured by the T. A. Snider Preserve Company, Chicago, U. S. * * *"

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On December 7, 1920, Spohn and Russell having entered an appearance as claimant for the property, judgment was entered ordering that upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, in conformity with section 10 of the act, the product be released to said claimant to be shipped to Mount Carmel, Ill., for the purpose of destruction, and that the bottles or containers remain the property of the claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9709. Adulteration and misbranding of Hol-Gin and Mexicola Hot. U. S. * * * v. 16 Gallons * * * of Hol-Gin and 16 Gallons * * * of Mexicola Hot. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14173, 14174. Inv. Nos. 27351, 27353. S. Nos. C-2683, C-2684.)

On January 24, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 16 gallons of Hol-Gin and 16 gallons of Mexicola Hot, the former at Grady, Ark., and the latter at Lake Village, Ark., alleging that the articles had been shipped on or about December 9 and 7, 1920, respectively, by the Red Cross Mfg. Co., St. Louis, Mo., and transported from the State of Mis-